UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MASSACHUSETTS 02203-0001

OFFICE OF THE
REGIONAL ADMINISTRATOR

February 12, 1998

Thomas J. Peeling
Department of the Navy
Naval Sea Systems Command (SEA 00T)
2531 Jefferson Davis Highway
Arlington, Virginia 22242-5160

RE: Inactive Ship Deep Draft Berthing Facility Environmental Assessment (EA)

Dear Mr. Peeling:

Thank you for the opportunity to review the EA and FONSI dated October 16, 1997 and January 9, 1998 respectively. Overall, EPA New England (EPA) is concerned that these documents lack sufficient detail to enable us to review of the associated environmental impacts. Moreover, since environmental criteria were used to determine one site's relative superiority over another for accepting the deep draft inactive ships, the EA should provide greater detail of the environmental consequences. These issues are discussed in detail below.

Superfund Issues

The EA needs to explain that NETC is a federal Superfund site and that investigations at Derecktor Ship yard are currently on-going. It is critical that the deep draft berthing facility does not impede remedial action at Pier 1, and the EA needs to explain how the project will not interfere with remedial action..

Sediment Resuspension

The EA lacks an expanded evaluation of the effects from increased vessel traffic, particularly as it relates to resuspending contaminated sediments. Additionally, the EA did not fully describe whether the installation of pilings and silt curtains would disperse contaminated sediments.

Water Quality

The EA indicates that an estimated 8 pounds of copper per day is released by the antifouling paints of the vessels proposed for berthing. It is unclear from the EA if regular maintenance or reapplication of antifouling paint will affect the rate of releases over time. In any event, the Navy needs to demonstrate that copper releases associated with antifouling paint on the hulls of the berthed ships are consistent with Rhode Island's Water Quality Regulations, dated 8/6/97,

and in particular, RI's numeric criteria for copper and antidegradation provisions. The analysis presented (p. X), expressing the copper loading in terms of a comparison to typical concentrations of copper in seawater, does not satisfy the need to show compliance with RI's regulations.

Initially, EPA recommends that this information be represented in terms of a simple mixing zone analysis to determine the area necessary to meet RI's chronic marine criteria for copper of 3.1 μg/l. If this area appears to be unacceptably large under this simple analysis, more complex models accounting for tidal influences and current can be applied. Any increases in copper concentrations should be discussed in terms of impacts to human health, aquatic life and the baseline ecological assessment conducted for Derecktor Shipyard under the Superfund program, and consistency with RI's water quality regulations.

Thank you for the opportunity to comment on this EA. Please contact Timothy Timmermann of EPA's Office of Environmental Review at 617-565-3279 if you have any questions concerning our comments.

Sincerely,

Elizabeth A. Higgins
Director, Office of Environmental Review

cc:

National Marine Fisheries Service
Army Corps of Engineers